

**United States Court of Appeals  
For the First Circuit**

05-10932  
Massachusetts  
W. Young

No. 05-2371

**MANDATE**

CYTYC CORPORATION,

Plaintiff, Appellant,

v.

DEKA PRODUCTS LIMITED PARTNERSHIP,

Defendant, Appellee.

**JUDGMENT**

Entered: March 1, 2006

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts, and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's order of confirmation is affirmed.

Deka Products Limited Partnership's motion, filed November 30, 2005, for attorney's fees and double costs is denied.

Certified and Issued as Mandate  
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk

*Jennifer Calabro*  
Deputy Clerk

Date: 3.23.06

By the Court:

**RICHARD CUSHING DONOVAN**

Richard Cushing Donovan, Clerk